

**PART IV – REPRESENTATIONS AND INSTRUCTIONS**

**SECTION M**

**EVALUATION FACTORS FOR AWARD**

**TABLE OF CONTENTS**

M.1.	DOE-M-2001 PROPOSAL EVALUATION – GENERAL – ALTERNATE III (FEB 2019).....	1
M.2.	EVALUATION FACTOR – LABORATORY VISION .....	2
M.3.	EVALUATION FACTOR – KEY PERSONNEL.....	3
M.4.	EVALUATION FACTOR – MANAGEMENT AND OPERATIONS .....	3
M.5.	DOE-M-2008 EVALUATION FACTOR – PAST PERFORMANCE (OCT 2015) (REVISED)	4
M.6.	EVALUATION FACTOR – TRANSITION PLAN.....	6
M.7.	EVALUATION FACTOR – COST AND FEE .....	6
M.8.	DOE-M-2011 RELATIVE IMPORTANCE OF EVALUATION FACTORS (OCT 2015) .....	7
M.9.	DOE-M-2012 BASIS FOR AWARD (OCT 2015).....	7

**M.1. DOE-M-2001 PROPOSAL EVALUATION – GENERAL – ALTERNATE III (FEB 2019)**

(a) Conduct of acquisition.

- (1) This acquisition will be conducted pursuant to the Federal Acquisition Regulation (FAR), Part 15 entitled, *Contracting by Negotiation*; Department of Energy Acquisition Regulation (DEAR), Part 915 entitled, *Contracting by Negotiation*; and the provisions of this solicitation.
- (2) DOE has established a Source Evaluation Board (SEB) to evaluate the proposals submitted by Offerors in response to this solicitation. Proposal evaluation is an assessment of the proposal and the Offeror's ability to perform the prospective contract successfully. Proposals will be evaluated solely on the factors specified in the solicitation against the evaluation factors in this Section M to determine the Offeror's ability to perform the contract.
- (3) The designated source selection authority will select an Offeror for contract award whose proposal represents the best value to the Government. The source selection authority's decision will be based on a comparative assessment of proposals against all evaluation factors in the solicitation. The source selection authority may reject all proposals received in response to this solicitation, if doing so is in the best interest of the Government.

(b) Deficiency in proposal.

- (1) A deficiency, as defined at FAR 15.001 entitled, *Definitions*, is a material failure of a proposal to meet a Government requirement or a combination of significant weaknesses in a proposal that increases the risk of unsuccessful contract performance to an unacceptable level. No award will be made to an Offeror whose proposal is determined to be deficient.
  - (2) A proposal will be eliminated from further consideration before completing the Government's evaluation if the proposal is deficient as to be unacceptable on its face. Deficiencies may include any exceptions or deviations to the terms of the solicitation. A proposal will be deemed unacceptable if it does not represent a reasonable initial effort to address itself to the material requirements of the solicitation, or if it does not substantially and materially comply with the proposal preparation instructions of this solicitation. In the event that a proposal is rejected, a notice will be sent to the Offeror stating the reason(s) that the proposal will not be considered for further evaluation under this solicitation.
- (c) Responsibility. In accordance with FAR Subpart 9.1, *Responsible Prospective Contractors*, and DEAR Subpart 909.1 entitled, *Responsible Prospective Contractors*, the Procuring Contracting Officer (PCO) is required to make an affirmative determination of whether a prospective contractor is responsible. The PCO may, if necessary, conduct a preaward survey of the prospective contractor as part of the considerations in determining responsibility. In the absence of information clearly indicating that the otherwise successful Offeror is

responsible, the PCO will make a determination of nonresponsibility and no award will be made to that Offeror; unless, the apparent successful Offeror is a small business and the Small Business Administration issues a Certificate of Competency in accordance with FAR Subpart 19.6 entitled, *Certificates of Competency and Determinations of Responsibility*. The responsibility determination includes a finding that award of the contract to the Offeror will not pose an undue risk to the common defense and security as a result of its access to classified information or special nuclear material in the performance of the contract, as prescribed in Section L provision, DEAR 952.204-73, entitled Facility Clearance, which requires submission of specific information by the Offeror related to foreign interests.

- (d) Award without discussions. In accordance with paragraph (f)(4) of the provision at FAR 52.215-1, *Instructions to Offerors – Competitive Acquisition*, the Government intends to evaluate proposals and award a contract without conducting discussions with Offerors. Therefore, the Offeror's initial proposal shall contain the Offeror's best terms from a cost or price and technical standpoint. The Government, however, reserves the right to conduct discussions if the PCO later determines them to be necessary and may limit the competitive range for purposes of efficiency.
- (e) Organizational conflicts of interest. The Offeror is required by the Section K provision entitled, *Organizational Conflicts of Interest Disclosure*, to provide a statement of any past, present, or currently planned interests related to the performance of the work and a statement that an actual or potential conflict of interest or unfair competitive advantage does or does not exist in connection with the contract resulting from the solicitation. No award will be made to the apparent successful Offeror, if the Contracting Officer determines that a conflict of interest exists that cannot be avoided, neutralized, or mitigated.

## **M.2. EVALUATION FACTOR – LABORATORY VISION**

The Government will evaluate the likelihood and degree to which the Offeror's long-range vision for the Laboratory will successfully: expand the Laboratory as a preeminent multi-program FFRDC; create the conditions necessary to accelerate EM's legacy cleanup, support NNSA's national security programs, and advance other DOE missions; enhance SRNL's core competencies involving nuclear and non-nuclear resources; increase collaborative partnerships with academia, industry, other Federal agencies, and state and local communities; and optimize Laboratory assets to accelerate the achievement of the DOE mission and meet national and international scientific and technology challenges. This evaluation will include the resources that the Offeror commits to apply to enhance the Laboratory's mission.

### **M.3. EVALUATION FACTOR – KEY PERSONNEL**

DOE will evaluate the required Key Personnel position of Laboratory Director, and up to six (6) other “non-required” Key Personnel positions.

Key Personnel Team. DOE will evaluate the rationale for the selection of all proposed Key Personnel positions regarding why the positions are essential and form the optimal team to implement the proposed Laboratory vision and successfully manage and operate the Laboratory. This evaluation will include consideration of the organizational representations of the Key Personnel.

Key Personnel. Key personnel will be evaluated on the degree to which they are qualified and suitable for the proposed position in relation to the work for which they are proposed to perform and areas reasonably related to their responsibility. Key Personnel will be evaluated based on the submitted resumes. The qualifications and suitability of the individual Key Personnel will be evaluated on the following:

- Experience. Relevant experience in performing work similar to the work to be performed in their proposed position, including leadership and major accomplishments, with emphasis on scientific and/or Laboratory R&D work.
- Education, specialized training, professional affiliations, professional registrations and/or certifications.
- Awards, Special Recognition, Publications, Patents and Other.
- DOE may contact any or all of the references, previous employers, or clients to verify the accuracy of the information contained in the resume and to further assess the qualifications and suitability of proposed Key Personnel.

Failure of the Offeror’s proposal to propose the required Key Personnel position, or to submit a signed Key Personnel Position Commitment Statement for each proposed Key Personnel that: (1) confirms their availability to perform in the proposed position for a minimum of three years beginning on the date of initial Notice to Proceed; (2) be assigned full-time to the contract; and (3) have their permanent duty station be located within the local surrounding area, will adversely affect the Government’s evaluation of the proposal and may make the proposal ineligible for award.

### **M.4. EVALUATION FACTOR – MANAGEMENT AND OPERATIONS**

The Government will evaluate the Offeror’s organization chart and how its organizational structure will promote the effective and efficient management of the Laboratory including: the rationale for the organization structure; the proposed roles and responsibilities, and lines of authority of all functional areas considered essential; the level of integration of functions of the Laboratory with other site entities; and how the organization structure promotes individual and

organization accountability. The Government will evaluate how the Offeror's proposed management approach enhances its ability to effectively communicate, cooperate, and partner with DOE.

The Government will evaluate the comprehensiveness and feasibility of the Offeror's proposed approach for providing governance and corporate oversight to the Laboratory, including corporate assurance and the role of any supporting Committees and Boards and their relationship to the organizational structure. The Government will evaluate the credibility and benefit of the value added by the parent organization(s) in achieving world-class excellence in R&D, excellence in operations and business management.

The Government will evaluate the Offeror's overall management approach for safe and secure Laboratory operations of nuclear and non-nuclear resources to meet the mission roles.

#### **M.5. DOE-M-2008 EVALUATION FACTOR – PAST PERFORMANCE (OCT 2015) (REVISED)**

- (a) Offeror. The Offeror, to include all members of a teaming arrangement, as defined in FAR 9.601(1), will be evaluated based on the Government's assessment of the Offeror's relevant and recent past performance information. This information will be obtained for the Offeror regarding work similar in scope, size, and complexity to the requirements of the Statement of Work (SOW) to assess the Offeror's potential success in performing the work required by the contract. Similar scope, size, and complexity are defined as follows: scope – type of work (e.g., work as identified in the SOW); size – dollar value (approximate average annual value) and contract period of performance; and complexity – performance challenges (prior innovations; operation of a nuclear or similarly hazardous facility; operation of a multi-program Federally Funded Research and Development Center; partnerships with academia, industry, other Federal agencies, and state and local communities; and management of complex contractor human resources management requirements set forth in Section H). The higher the degree of relevance of the work, the greater the consideration that may be given.

DOE will evaluate recent past performance information for contracts that are currently being performed or have been completed within the last three (3) years from the original solicitation issuance date. More recent past performance information may be given greater consideration.

The Government will not apportion the favorability of past performance differently amongst the members of a Contractor's Teaming Arrangement, as defined in FAR 9.601(1), on a past performance contract, as each entity is considered to be responsible for overall performance of the ongoing or prior contract. All partner companies on past performance contracts will be equally credited (positively and negatively) for past performance with regard to favorability. However, relevancy determinations on a past performance contract may differ depending upon what scope each entity is proposed to perform.

- (b) Newly formed entity and predecessor companies. The evaluation of past performance for the

Offeror may be based on the past performance of its parent organization(s), member organizations in a joint venture, limited liability company, or other similar or affiliated companies, provided the Offeror's proposal demonstrates that the resources of the parent, member, or affiliated company will be provided or relied upon in contract performance and will have meaningful involvement. Meaningful involvement means the parent, member, or affiliate will provide materials, supplies, equipment, personnel, or other tangible assets to contract performance; or that the common parent will utilize the expertise, best practices, lessons learned, or similar resources from the affiliate to affect the performance of the Offeror. Past performance information from predecessor companies that existed prior to any mergers or acquisitions may also be considered where the Offeror's proposal demonstrates such performance reasonably can be predictive of the Offeror's performance.

- (c) Work to be performed. DOE will evaluate the Offeror and all members of a teaming arrangement, as defined in FAR 9.601(1) in accordance with the work each entity is proposed to perform to cover the work scope described in the SOW. The resulting rating will consider whether the Offeror's team as a whole have demonstrated relevancy to all SOW requirements.
- (d) No record of past performance. If the Offeror does not have a record of relevant past performance or if information is not available, the Offeror will be evaluated neither favorably nor unfavorably.
- (e) Performance information. The Government will only evaluate past performance information for work it considers relevant to the acquisition in terms of similar in scope, size, and complexity, as defined above in paragraph (a), and within the timeframe specified, as defined above in paragraph (a). The Offeror will also be evaluated on safety statistics (OSHA Days Away, Restricted or Transferred (DART) and Total Recordable Case (TRC)) and DOE enforcement actions and/or worker safety and health, nuclear safety, and/or classified information security incidents or notifications posted to the DOE Office of Enterprise Assessments website (<https://energy.gov/ea/information-center/enforcement-infocenter>) and corrective actions taken to resolve those problems.
- (f) Terminated contracts. The Government will consider contracts of the Offeror, to include all members of a teaming arrangement, as defined in FAR 9.601(1), that were terminated for default, including the reasons therefore, over the preceding three (3) years from the solicitation issuance date.
- (g) Sources of past performance information. The Government may consider past performance information from sources other than those provided by the Offeror, such as commercial and government clients, government records, regulatory agencies, and government databases such as the Government's Contractor Performance Assessment Reporting System (CPARS). The Government may contact any or all of the references provided by the Offeror and will consider such information obtained in its evaluation. Note: DOE contracts are not necessarily evaluated with more relevance than non-DOE contracts, based on the sole fact that it was work for DOE. The evaluation of relevancy is based on the factors listed above. In addition, the Government may consider any other information determined to be reasonably predictive

of the quality of the Offeror's performance under this proposed contract, such as information bearing on the Offeror's integrity and business ethics. This other information is not limited to contracts found relevant to this procurement in terms of scope, size, and complexity.

- (h) List of DOE contracts. The Government may consider the information provided per Section L Attachment entitled "List of DOE Contracts", and evaluate past performance information on work determined to be relevant to the acquisition in terms of similar in scope, size, and complexity, as defined above in paragraph (a).

#### **M.6. EVALUATION FACTOR – TRANSITION PLAN**

The Government will evaluate the Offeror's Transition Plan with respect to its feasibility, comprehensiveness, efficiency, and effectiveness. This evaluation will include the following: (1) the Offeror's management approach for the transition activities, as applicable, including its "home office" assistance, staffing of the transition team, equipment and other support requirements, as well as interactions with the Laboratory and DOE, and any other items/activities the Offeror deems necessary; (2) the extent to which the Offeror's Transition Approach addresses specific steps necessary to assume full responsibility for management and operation of SRNL within 90 calendar days after issuance of the initial Notice to Proceed; (3) the proposed milestones for the steps that would be completed during this transition period and beyond; and (4) any potential impacts/barriers identified by the Offeror on the continuity of operations and plans for their elimination or mitigation.

#### **M.7. EVALUATION FACTOR – COST AND FEE**

Cost proposals will be evaluated for price reasonableness and cost realism in accordance with FAR 15.404. **Given the nature of performance-based management and operating contracts, Offerors will not be required to provide, nor will the Government determine, an estimate of overall contract costs.** The cost evaluation, however, will include consideration of the Offeror's proposed transition costs and the Key Personnel's total compensation costs for the periods of April 1, 2021 through September 30, 2021 and October 1, 2021 through September 30, 2022. The Government will determine the probable cost of both of the above. Additionally, the total amount of the performance fee proposed in the tables found in Section B.3(b) and (c) will also be considered as part of the best value determination.

In summary, for purposes of determining the best value, the evaluated price will be the total amount of the performance fee values proposed in the tables found in Section B.3(b) and (c), along with the probable cost for transition, and the probable cost for the Key Personnel's total compensation costs for the periods of April 1, 2021 through September 30, 2021 and October 1, 2021 through September 30, 2022.

**M.8. DOE-M-2011 RELATIVE IMPORTANCE OF EVALUATION FACTORS (OCT 2015)**

(a) The relative importance of the evaluation factors for the Technical and Management Proposal (Volume II) are below.

- (1) Laboratory Vision
- (2) Key Personnel;
- (3) Management and Operations;
- (4) Past Performance; and
- (5) Transition Plan.

Laboratory Vision is more important than Key Personnel. Key Personnel is more important than Management and Operations. Management and Operations is more important than Past Performance. Past Performance is more important than Transition Plan. Transition Plan is the least important Technical and Management Proposal evaluation factor.

(b) The evaluation factors for the Technical and Management Proposal (Volume II), when combined, are significantly more important than the total evaluated price (Volume III). Each evaluation factor applicable to this solicitation is identified and described in this and other provisions of this Section M. The descriptive elements of each evaluation factor will be considered collectively in arriving at the evaluated rating of the Offeror's proposal for that evaluation factor. Areas within an evaluation factor are not sub-factors and will not be individually rated, but will be considered in the overall evaluation for that particular evaluation factor.

**M.9. DOE-M-2012 BASIS FOR AWARD (OCT 2015)**

The Government intends to award one contract to the responsible Offeror whose proposal is determined to be the best value to the Government. Selection of the best value to the Government will be achieved through a process of evaluating each Offeror's proposal against the evaluation factors described above. The evaluation factors for the Technical and Management Proposal will be adjectivally rated. The Cost/Price evaluation factor will not be rated, however the evaluated price will be used in determining the "best value" to the Government. The Government is more concerned with obtaining a superior Technical and Management Proposal than making an award at the lowest evaluated price. However, the Government will not make an award at a price premium it considers disproportionate to the benefits associated with the evaluated superiority of one Offeror's Technical and Management Proposal over another. Thus, to the extent that Offerors' Technical and Management Proposals are evaluated as close or similar in merit, the evaluated price is more likely to be a determining factor in selection for award.